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October 13, 2020

Honorable Ann M. Donnelly  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *United States v. Robert Kelly*, Case No. 19-286 (S-1)(AMD)**

Dear Judge Donnelly:

As the attorneys for Robert Sylvester Kelly, we write asking the Court to reconsider this Court's sealing of its order for an anonymous and sequestered jury. We are asking that the order be made public.

Specifically, on October 8, 2020, this Court granted the government's motion to impanel an anonymous and partially sequestered jury (Dkt. 79). The docket reflects that the order was sealed. The Court did not make any "on-the-record findings that sealing is necessary to preserve higher values". *United States v. Amodeo*, 44 F.3d 141, 146 (2d Cir. 1995). Mr. Kelly would note that the government's original motion, his response, and the government's reply were all not sealed. He would also note that neither party had requested that this Court seal its order. Finally, he would note that there is a presumption of access that attaches to all documents that are a part of the court record. *Brown v. Maxwell*, 929 F.3d 41 (2019).

Mr. Kelly does not believe that this Court's order regarding the impaneling of the jury should be sealed and request that it does not remain sealed.

Sincerely,

/s/ *Steve Greenberg*

Steven A. Greenberg

SAG/psw